IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SECOND APPEAL No 87 of 1990
With
CIVIL APPLICATION NO. 1122 OF 1990
And
CIVIL APPLICATION (ST) NO: 3136 OF 2002

For Approval and Signature:

HON'BLE MR.JUSTICE N.G.NANDI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

BHAGWANDAS KESHAVLAL DESAI

Versus

STATE OF GUJARAT

Appearance:
1. Second Appeal No. 87 of 1990
MR SN SHELAT for Petitioner No. 1-2
MR MUKESH R SHAH for Petitioner No. 1,3-8-2
MS. PAURAMI SHETH, LD. AGP for Respondent No. 1
MR KS JHAVERI for Respondent No. 2
NOTICE SERVED for Respondent No. 3

CORAM : HON'BLE MR.JUSTICE N.G.NANDI

Date of decision: 23/01/2004

ORAL JUDGEMENT

1. It is stated by Mr. M.R. Shah, learned advocate for the appellants that vide Notification dated 16-7-2003, the land acquisition proceedings qua the lands of the present appellants have been dropped / withdrawn. Mr. Shah has placed on record xerox copy of the Government Gazette, Part-I-B of the Revenue department, Sachivalaya, Gandhinagar. Same is kept on record.

2. In view of the above, the present appeal having become infructuous is dismissed accordingly, with no order as to costs.

3. In view of the order passed in Second Appeal, civil application No. 1122 of 1990 does not survive and the same is dismissed accordingly. Rule discharged. Ad-interim relief granted earlier shall stand vacated. No costs.

4. Civil Application (St) No. 3136 of 2002 filed by the State also does not survive and is accordingly dismissed, in view of the main appeal being dismissed as infructuous. No costs.

Dt: 23-1-2004 (N.G. Nandi, J)

/vgn